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PATENT

Customer No.: 23990



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Adnan Kavak, et al.
Application No. : 10/078,277
Filed : February 19, 2002
For : APPARATUS AND METHOD FOR ALLOCATING WALSH
CODES TO ACCESS TERMINALS IN AN ADAPTIVE
ANTENNA ARRAY CDMA WIRELESS NETWORK
Art Unit : 2616
Examiner : Donald L. Mills

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

GOOD FAITH AND CANDOR LETTER
REGARDING PATENT TERM ADJUSTMENT

The Applicant respectfully notes that the patent term adjustment calculation appears to award an excessive term adjustment to the Applicant.

The Applicant believes the correct patent term adjustment calculation is 1070 days, which includes:

- 1069 days for the time between 14 months from filing and the first official action;
- -3 days for a response to the 3/23/2006 Office Action;
- -6 days for a response to the 9/20/2006 Office Action;
- -1 day for a Notice of Appeal in response to the 4/4/2007 Office Action; and

+11 days for the Office's late reply to the Notice of Appeal.

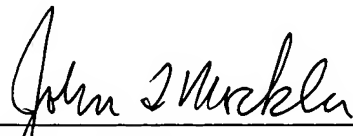
The Applicant respectfully requests correction of the patent term adjustment calculation, as well as an opportunity to review any new patent term adjustment calculation.

The Commissioner is hereby authorized to charge any fees connected with this communication or credit any overpayment to Deposit Account No. 50-0208.

Respectfully submitted,

MUNCK BUTRUS CARTER, P.C.

Date: 15 Feb. 2008



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